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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,094	01/29/2004	Robert F. Debrody	202500-767	4601

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EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,094

Applicant(s)

DEBRODY ET AL

Examiner

Carlos Lugo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-10,12 and 14-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-28,33 and 34 is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6,15,16,19,21,22 and 29-32 is/are rejected.
- 7) ☒ Claim(s) 7-10,12,14,17,18,20,23 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>attachment #1</u> . |

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on June 6, 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1,3,5,6,15,16,19,22, and 29-32 are rejected** under 35 U.S.C. 102(b) as being anticipated by US Pat No 4,361,351 to Spirig.

Regarding claims 1 and 29-34, Spirig discloses a bi-directional locking device (1) including a locking arrangement (4) for receiving and locking a shackle (3) thereto.

The shackle has at least one locking element (13 and 14). The shackle is insertable into a device chamber for engaging with the locking arrangement.

The locking arrangement comprises a body defining the chamber therein and has a longitudinal axis defining a longitudinal direction. The body has opposing top and bottom ends. The top end defines a top opening communicating with the chamber in the longitudinal direction, and the bottom end defines a bottom opening communicating with the chamber in the longitudinal direction.

A plurality of resilient fingers (11 and 12) is positioned in the chamber. Respective ones fingers extends in opposing directions toward and substantially aligned with each other in the longitudinal direction. The plurality of fingers each is positioned to allow passage of the at least one locking element of the shackle in first

and second opposite insertion longitudinal directions through either the top or the bottom opening (with respect to the location where the shackle is lock). At least one of the fingers is used for locking engaging at least one locking element to preclude the shackle withdrawal from the chamber in a direction opposite to the insertion direction to lock the shackle to the body in the opposite direction (see attachment #1).

As to claim 3, Spirig discloses that at least one first finger extends from a region adjacent the top end and locks with the shackle locking element when the shackle insertion direction is through the top opening to preclude the shackle from being withdrawn from the chamber in a direction opposite to the shackle insertion direction. Also, Sprig discloses that at least one-second finger extends from a region adjacent to the bottom end and locks with the shackle locking element when the shackle insertion direction is through the bottom opening and the shackle is moved in the opposite direction to the shackle insertion direction.

As to claim 5, Spirig illustrates that the plurality of fingers include a pair of transversely opposing spaced top fingers relative to the longitudinal axis and opposing pair of transversely spaced bottom fingers relative to the longitudinal axis, the top and bottom pairs respectively extending toward one another (Figure 2).

As to claim 6, Spirig discloses that the plurality of fingers includes at least one top and one bottom finger that are in a mirror relationship.

As to claims 15 and 19, Spirig discloses that the device includes a socket with the chamber (the body 1) and the locking arrangement comprises an insert (4) inserted into the socket chamber.

As to claim 16, Spirig discloses that the plurality of fingers define a passageway adapted to receive the at least one locking element which is annular.

As to claim 21, Spirig illustrates that the body is substantially cylindrical.

As to claim 22, Spirig illustrates that the body has a plurality of sidewalls interconnecting the top and bottom ends and defining the chamber.

Allowable Subject Matter

4. **Claims 25-28,33, and 34 are allowed.**
5. **Claims 7,8,14,17,18,20, and 23 are objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 9,10,12, and 24 would also be allowed because the claims depend from claims 8 and 23 respectively.

Reasons For Allowance

6. The following is an examiner's statement of reasons for allowance:

Claim 25 is allowable over the prior art of record and claims 7,8,14,17,18,20 and 23 present allowable subject matter over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the at least one top and bottom finger each have a channel that extends at an angle inclined toward the longitudinal axis (claims 7,8 and 33); that the fingers extends from the top and bottom ends (claim 14); that the locking element includes a frustoconical portion and a locking shoulder (claims 17 and 18); that the shackle is integral and one piece with the shackle (claims 20 and

25); and that the locking element abuts an inner wall while the locking element shoulder is locked by the fingers (claims 23 and 34).

As to claims 7,8 and 33, Spirig fails to disclose that the at least one top and bottom finger each have a channel that extends at an angle inclined toward the longitudinal axis so as to guide the locking member of the shackle.

As to claim 14, Spirig fails to disclose that the fingers extend from the top and bottom ends. Spirig discloses that the fingers extend from the sidewalls of the insert.

As to claims 17 and 18, Spirig fails to disclose that the locking element includes a frustoconical portion and a locking shoulder. Spirig discloses that the shackle has annular openings (13 and 14).

As to claims 23 and 34, Spirig fails to disclose that the locking element abuts an inner wall while the locking element shoulder is locked by the fingers.

As to claims 20 and 25, Spirig fails to disclose that the shackle is integral and one piece with the shackle. Spirig discloses that the shackle is a separate member from the socket. Although, when a user locks one end of the shackle into the insert, the shackle presented by Spirig can be considered as being integral or as a one piece with the socket, the shackle can be capable of being inserted in either the top or bottom opening.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

7. Applicant's arguments, see remarks, filed on June 6, 2005, with respect to the rejection(s) of the claim(s) under sections 102(b) and 103(a) in view of Hancock, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Spirig. Because of this new ground of rejection, claim 5 that was previously presented as containing allowable subject matter is now rejected in view of Spirig. Claims 7, 8, 18 and 23 remains as objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 1, 3, 5, 6, 15, 16, 19, 22, and 29-34, because the shackle does not require to be integrally to the socket, as claimed in claims 20 and 25, Spirig discloses the invention as claimed in claims 1, 3, 5, 6, 15, 16, 19, 22, and 29-34.

The device presented by Spirig is considered as a bi-directional device since a user can either lock one end of the shackle at either the top or the bottom openings of the insert and the other end of the shackle to the other opposite opening.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number

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for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

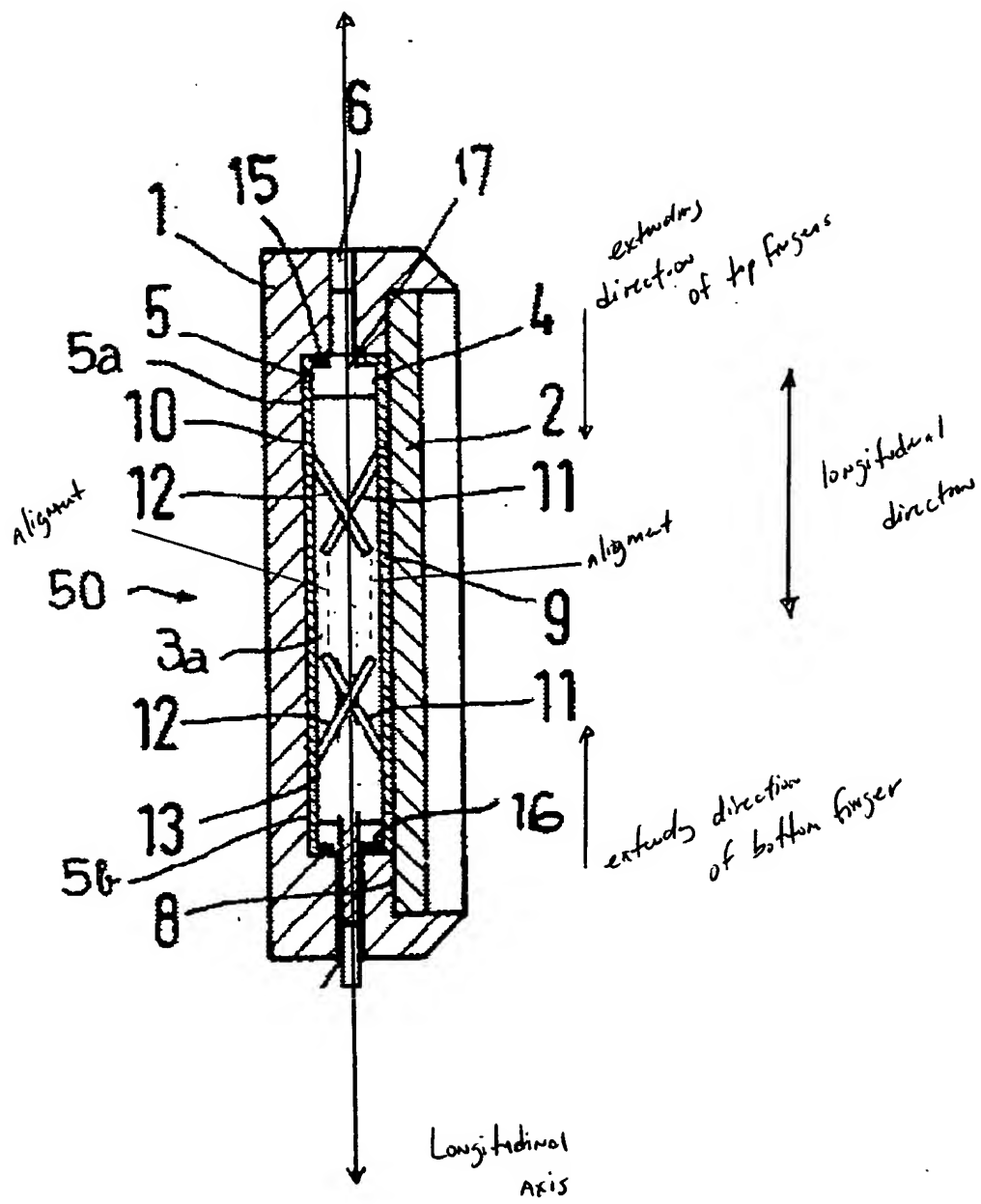
C.L.

Carlos Lugo
AU 3676

August 2, 2005.

A handwritten signature in black ink, appearing to read "Brian", followed by a long horizontal flourish.

BRIAN E. GLESSNER
PRIMARY EXAMINER



Attachment #1